

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AFAB INDUSTRIAL SERVICES, INC.,
Plaintiff

v.

PAC-WEST DISTRIBUTING NV LCC *et al.*,
Defendants

CIVIL ACTION

NO. 19-566

ORDER

AND NOW, this 10th day of March, 2022, upon consideration of Pac-West's motion for summary judgment (Doc. No. 72), AFAB's response in opposition (Doc. No. 75), the Court having held oral argument on October 12, 2021, and for the reasons set forth in the accompanying Memorandum, it is **ORDERED** that the motion (Doc. No. 72) is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The motion is **DENIED** as to AFAB's disparagement clause, Lanham Act injunctive relief, and unfair competition claims;
2. The motion is **GRANTED** as to the monetary damages for the Lanham Act claims;
and
3. The motion is **DENIED** as to Pac-West's counterclaim.

BY THE COURT:


GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE